

ORIGINAL

December 9th, 2003

Thomas A. Jakubik
-vs-

Northern Illinois Gas Company
d/b/a Nicor Gas Company

Complaint as to interrupted gas service
in Mount Prospect, Illinois.

Albert E. Harms
Manager Rate Research
Northern Illinois Gas Company
d/b/a Nicor Gas Company
1844 W. Ferry Rd.
PO Box 190
Aurora, IL 60507-0190
aharms@nicor.com

:Administrative Judge Dolan
gdolan@icc.state.il.us

03-0367

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CHIEF CLERK'S OFFICE

2003 DEC 17 PM 12:53

ILLINOIS
COMMERCE COMMISSION

Sarah Naumer & John E. Rooney
Attys. for Northern Illinois Gas Company
d/b/a Nicor Gas Company
Sonnenschein Nath & Rosenthal
233 South Wacker Drive
Chicago, IL 60606
snaumer@sonnenschein.com
jrooney@sonnenschein.com

Thomas A. Jakubik
1125 Weiland Rd.
Buffalo Grove, IL 60089
tomjakubik@remax.net

Petition for

Interlocutory Review of NICOR's refusal to provide complete discovery

On December 4th, 2003 a hearing was held as to NICOR's refusal to provide complete discovery. The ALG made some decisions and one of which I wish reconsidered and several are from previous hearings. My original request for discovery is attached and this will be my Fifth request to receive the information I need to prepare my case. **Exhibit A**

1. Re: Administrative Code Section 520.10

A: I have requested the information several times, NICOR has stated the information is in the Public Arena and that was their reason for not having to provide Section 520.10. **Exhibit B**

B: I filled a FREEDOM OF INFORMATION REQUEST with the ICC Clerks office and had several conversations with parties there and was informed that the ICC staff could not find the Section. **Exhibit C**

C. I again appealed to the ALJ the need for the PUBLIC Records Section 520.10 and he has denied my request on December 4th, 2003 These records are not sensitive since they are required to be in the possession of the ICC as Legislated. On December 8th, 2003 I telephoned the Chief Clerk and asked when NICOR would file Section 520.10 and when I could receive a copy. I

received a return telephone call only answering the ICC does not have Section 520.10 as Legislated.

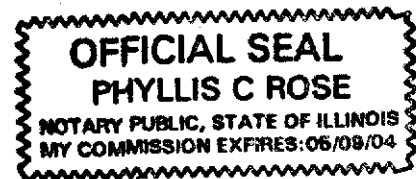
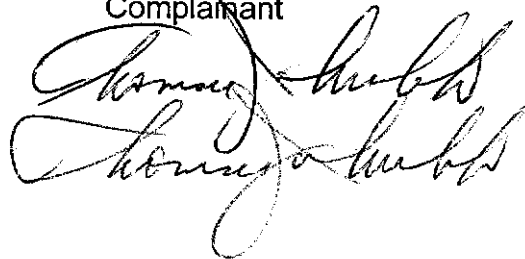
2. Re: request for all computer records:

A: I received a print screen computer record attached **Exhibit D**. The ALJ on two accusations request explanations of the codes on these records, the representative from NICOR could not answer as to what they represent and as yet I have not received and explanation as to what the individual codes mean.

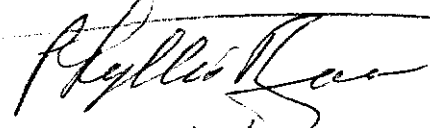
B: There is a reference to **Computer Call Ahead**, I am requesting detailed information as to whom, how and why this feature operates. **Exhibit E**

3. Re: request for all computer records: I have not received any records as to accounts.
Exhibit A

Thomas Jakubik
Complainant



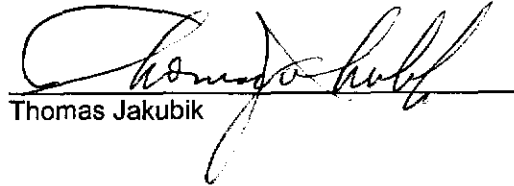
NOTARIZED


5/9/04

30-3067

VERIFICATION BY CERTIFICATION

I, THOMAS JAKUBIK, under penalties of perjury as provided by law pursuant to ILSC 5/1-109 of the CODE of Civil Procedure, certify that the all the foregoing facts are true and correct, except as to matters to be on information and belief, and as to such matters, I certify that same are true and correct to the best of my knowledge.


Thomas Jakubik

Thomas Jakubik
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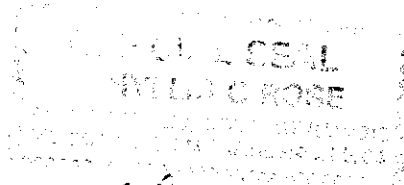
A:nicorcomplaint1711victoria

Mailed 12-11-03

Thomas Jakubik

Notarized

d:nicorcomplaint1711victoria



Phyllis Rose
5/9/04